

REMARKS

Claims 1-25 are pending in the present application. Claims 1, 5-8, 10, 11, 14-16 and 19-25 are rejected. It is respectfully submitted that this Response is fully responsive to the Office Action dated June 2, 2006.

Claims 1, 5-8, 10, 11, 14-16 and 19-25 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 7 of copending Application No. 10/728,885.

Applicants appreciate the Examiner's acknowledgement that claims 1, 5-8, 10, 11, 14-16 and 19-25 would be allowable if rewritten to overcome the double patenting rejection(s), set forth in the Office action dated June 2, 2006.

In view of this, Applicants herein attach a timely filed terminal disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome this rejection based on a nonstatutory double patenting ground.

Accordingly, Applicants submit that claims 1-25 are now allowable.

In view of the aforementioned remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

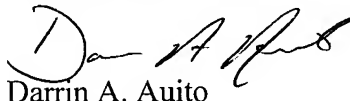
Application No. 10/728,905
Attorney Docket No. 032080

Response under 37 C.F.R. §1.111
Response filed: June 23, 2006

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Darrin A. Auito", is written over the printed name.

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